IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 2806 OF 2002

IN

SUIT NO. 3300 OF 2002

Autodesk Inc. .. Plaintiff.

vs.

K. Raheja Corp. Limited

& Ors. .. Defendants.

Ms. Smitha i/by Shantilal & Co.

for the plaintiff.

Mr. P.N. Mody i/by K.D. Abhichandran

for defendant no. 4.

CORAM : S.U.KAMDAR, J.

DATE : 19th August, 2005.

P.C.

. The present notice of motion is taken out for restraining the defendants from in any manner infringing the copyright of the plaintiff in the original literary work, namely; the computer software and computer programmes contained in AutoCAD, AutoCAD LT, Autodesk Architectural Desktop, Autodesk Architectural Studio, Autodesk Building Electrical, Autodesk Building Mechanical, Autodesk

CAD Overlay, Autodesk Land Desktop, Autodesk MapGuide, Autodesk inventor, Autodesk Civil Design and Autodesk Construction Manager, Autodesk Mechanical Desktop. 3D Studio etc., Defendant no. 3 is served. An affidavit of service dated 19.10.2002 is taken on record. Inspite of service, there is no affidavit in reply. In view thereof, as far as defendant no. 3 is concerned, motion is made absolute in terms of prayer clause (a). In so far as defendant no. 4 is concerned, the learned advocate appearing for defendant no. 4 made a statement that the defendant no. 1 will not use without the permission and consent of the plaintiff he will not use the Demo version of the said computer programme. Further, he makes a statement that the defendant no. 4 will not use or copy the said programme unless it is duly authorised version thereof. The statement of the learned counsel appearing for defendant no. 4 is accepted. In view thereof, no further interim orders are necessary. In so far the other defendants are concerned, the learned counsel for the plaintiff does not press the motion against them. Motion disposed of accordingly. No order as to costs.